

Decision No. C19-0492-I

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 18F-0866E

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DELTA-MONTROSE ELECTRIC ASSOCIATION,

COMPLAINANT,

V.

TRI-STATE GENERATION AND TRANSMISSION  
ASSOCIATION, INC.,

RESPONDENT.

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**INTERIM DECISION ADOPTING REVISED  
PROCEDURAL SCHEDULE**

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Mailed Date: June 11, 2019  
Adopted Date: June 6, 2019

**I. BY THE COMMISSION**

**A. Statement**

1. On May 14, 2019, Delta-Montrose Electric Association (DMEA) filed its Motion for a 30-Day Extension of Time to File Its Rebuttal Testimony, for a Corresponding Continuance of the Evidentiary Hearing, and for Shortened Response Time.

2. On May 24, 2019, by Decision No. C19-0443-I, the Commission granted the extension, vacated the evidentiary hearing scheduled for June 17 through -21, 2019, and set June 28, 2019 as the deadline for rebuttal testimony. We ordered the parties to file by May 29, 2019, a joint procedural schedule to reset the evidentiary hearing. Our decision included five weeks during which the Commission was available to conduct an evidentiary hearing.

3. On May 29, 2019, the Commission received a proposed procedural schedule from Tri-State Generation and Transmission Association, Inc. (Tri-State) and a separate Joint Request to Adopt Revised Procedural Schedule (Joint Request) from DMEA and the Colorado Energy Office (CEO). The parties were unable to come to agreement on hearing dates.

4. According to the filings, Tri-State and DMEA are able to proceed to hearing during the week of August 12. CEO indicates that their lead counsel is unavailable August 13 and 16, and is currently without coverage. Alternatively, DMEA and CEO suggest beginning the hearing on August 15, then continuing the hearing to the week of August 19 on the dates the Commission determines best accommodate Tri-State's conflicts. They note that "it may be necessary to take some witnesses out of order to accommodate Tri-State counsel and witnesses" and that their proposal "seeks to accommodate all of the parties' conflicts to the maximum extent practicable."<sup>1</sup>

5. We find that scheduling the hearing for August 12 through 16 is appropriate for a number of reasons. First, it avoids breaking the hearing into individual days scattered across two weeks. Second, it is amenable to the two parties that will be putting on the lion's share of evidence during the hearing. Third, it gives CEO's counsel nine weeks to find coverage for two days of the hearing. Fourth, it provides a reasonable buffer between the conclusion of the hearing, statements of position, and our 210-day statutory decision deadline of October 11, 2019.

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<sup>1</sup> Joint Request at p. 2.

6. Accordingly, we adopt the procedural schedule below. Consistent with the recently-vacated procedural schedule, statements of position will be due ten days after the last day of hearing:

Date	Procedural Deadline
March 15, 2019	Direct Testimony
April 29, 2019	Answer Testimony
June 28, 2019	Rebuttal/Cross-Answer Testimony
August 12-16, 2019	Evidentiary Hearing
August 26, 2019	Statements of Position

## II. ORDER

### A. It Is Ordered That:

1. The procedural schedule set forth above is adopted.
2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
June 6, 2019.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

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FRANCES A. KONCILJA

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Commissioners

COMMISSIONER JOHN GAVAN RESUSED.